

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF EXPANDING THE)	ORDINANCE NO. 18-1427
URBAN GROWTH BOUNDARY TO)	
PROVIDE CAPACITY FOR HOUSING TO)	Introduced by Martha J. Bennett, Chief
THE YEAR 2038 AND AMENDING THE)	Operating Officer, with the concurrence of
METRO CODE TO CONFORM)	Tom Hughes, Council President
)	

WHEREAS, state law requires Metro to assess the capacity of the urban growth boundary (UGB) on a periodic basis and, if necessary, to increase the region’s capacity for housing and employment for the next 20 years; and

WHEREAS, Metro’s previous growth management decision was made in 2015 when Metro adopted the 2014 Urban Growth Report (UGR) via Ordinance No. 15-1361, which forecasted population and employment growth in the region to the year 2035, inventoried the supply of buildable land inside the UGB, and concluded there was sufficient land capacity for the next 20 years; and

WHEREAS, in adopting Ordinance No. 15-1361 the Metro Council included a directive to Metro staff to produce a new urban growth report within three years, rather than waiting six years as provided in state law; and

WHEREAS, in adopting Ordinance No. 15-1361 the Metro Council also made a commitment that Metro would work with its regional partners to explore possible improvements to the regional growth management process; and

WHEREAS, in furtherance of that commitment, in May 2016 Metro convened an Urban Growth Readiness Task Force consisting of 17 public and private sector representatives to develop recommendations for improving the growth management process; and

WHEREAS, the Task Force met five times between May 2016 and February 2017, and ultimately presented a set of recommendations to the Metro Council for improvements that were accepted by the Metro Council via Resolution No. 17-4764 on February 2, 2017; and

WHEREAS, the Task Force recommendations included three core concepts: (1) clarify expectations for cities proposing modest residential UGB expansions into concept-planned urban reserves; (2) seek greater flexibility for addressing regional housing needs; and (3) seek greater flexibility when choosing among concept-planned urban reserves for UGB expansions; and

WHEREAS, the Task Force recommended that Metro adopt changes in its decision-making processes to implement the three core concepts by taking an outcomes-based approach to growth management focused on specific UGB expansion proposals made by cities; and

WHEREAS, to implement the Task Force recommendations, Metro and its regional partners sought and obtained changes to state law via House Bill 2095 (2017), which allows Metro to make mid-cycle residential UGB expansions by amending its most recent inventory and analysis of the regional buildable land supply based on specific residential growth proposals brought forward by cities; and

WHEREAS, to further implement the Task Force recommendations, the Metro Council directed staff to work with the Metro Technical Advisory Committee (MTAC) on proposed amendments to the

Urban Growth Management Functional Plan (UGMFP) that would implement the Task Force directives and House Bill 2095; and

WHEREAS, over the course of 10 meetings between July 2016 and September 2017, Metro staff and MTAC prepared and refined proposed amendments to Title 14 of the UGMFP to implement the Task Force and Metro Council directives, and those proposed amendments were unanimously approved by the Metro Policy Advisory Committee (MPAC) on October 11, 2017; and

WHEREAS, on December 14, 2017 the Metro Council adopted MPAC's recommended amendments to Title 14 via Ordinance No. 17-1408, concluding that those amendments to the Metro Code "will effectively implement House Bill 2095 and the directive of the Urban Growth Readiness Task Force to create a more flexible and outcomes-based approach for future UGB expansions in the Metro region;" and

WHEREAS, consistent with the new approach to regional growth management decisions, four cities submitted proposals to Metro for UGB expansions for housing by the May 31, 2018 deadline: the cities of Wilsonville, Hillsboro, Beaverton, and King City; and

WHEREAS, the four city proposals were reviewed by Metro staff and by a City Readiness Advisory Group (CRAG) convened by the Metro President, and the cities made presentations to the Metro Council regarding their proposals at work sessions on June 12, 2018 and June 19, 2018; and

WHEREAS, on July 3, 2018 Metro staff presented a draft 2018 Urban Growth Report (UGR) to the Metro Council, MPAC and MTAC, which provides a range forecast for future population and employment growth in the region, an inventory of buildable residential and employment land in the region, and an analysis of multiple growth scenarios involving different assumptions and permutations regarding population, redevelopment potential, and the four proposed expansion areas; and

WHEREAS, the 2018 UGR concludes that the Metro Council has latitude to determine whether there is a regional need for some or all of the four proposed UGB expansion areas; and

WHEREAS, Metro's Chief Operating Officer (COO) issued a recommendation to the Metro Council on August 28, 2018 to expand the UGB in the four proposed areas with conditions of approval that encourage a mix of housing types, and the COO recommendation was unanimously endorsed by MPAC on September 12, 2018; and

WHEREAS, on September 27, 2018 the Metro Council adopted Resolution No. 18-4914, which provided Metro staff with direction to expand the UGB in all four areas, consistent with the COO recommendation and MPAC endorsement, and to include conditions of approval that will ensure an adequate mix and supply of various housing types in the expansion areas; and

WHEREAS, following the Metro Council direction in Resolution No. 18-4914, Metro staff completed a housing needs analysis that identifies a need for additional land in the UGB to address single-family housing needs for both attached and detached housing; and

WHEREAS, the four proposed expansion areas will add approximately 2,181 acres of urban reserve land to the UGB and provide approximately 6,100 single-family housing units and approximately 3,100 multifamily units, for a total of approximately 9,200 homes; and

WHEREAS, Metro staff evaluated all land in the region designated as urban reserves for possible addition to the UGB based upon their relative suitability under the Goal 14 locational factors; and

WHEREAS, as part of this growth management decision the Metro Council is also adopting an administrative amendment to bring a 4.48 acre parcel of land in Washington County into the UGB to alleviate a significant public health hazard from a failing septic system, in order to allow existing commercial businesses on that property to connect to a City of Hillsboro sewer line; and

WHEREAS, the Metro Council held public hearings on this ordinance on December 6, 2018 and December 13, 2018; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The UGB is amended to add the four areas shown on Exhibit A, attached and incorporated into this ordinance, to provide capacity for housing.
2. The UGB is also amended to add 4.88 acres of land shown on Exhibit B, attached and incorporated into this ordinance, to alleviate a health hazard from a failing septic system.
3. The conditions set forth in Exhibit C, attached and incorporated into this ordinance, are applied to the UGB expansion areas as indicated on that Exhibit.
4. The Urban Growth Boundary and Urban and Rural Reserves Map in Title 14 of the Urban Growth Management Functional Plan, attached and incorporated into this ordinance as Exhibit D, is amended to reflect the UGB amendments shown on Exhibits A and B.
5. The 2018 Urban Growth Report attached as Exhibit E to this ordinance is hereby adopted as support for the Metro Council's decision to amend the Metro UGB to provide capacity for housing.
6. The Findings of Fact and Conclusions of Law attached as Exhibit F to this ordinance are hereby adopted to explain how this ordinance is consistent with state law and applicable Metro policies, and to provide evidentiary support for this decision.
7. The areas being added into the Metro UGB by this ordinance are also annexed into the Metro jurisdictional boundary as provided by ORS 268.390(3)(b),

ADOPTED by the Metro Council this 13th day of December 2018.



Tom Hughes

Tom Hughes, Council President

Attest:

Sara Farrokhzadian

Sara Farrokhzadian, Recording Secretary

Approved as to Form:

Nathan Sykes

Nathan Sykes, Acting Metro Attorney